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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,463	08/14/2001	Francois Bourdoncle	6633-83488	9060

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WELSH & KATZ, LTD  
120 S RIVERSIDE PLAZA  
22ND FLOOR  
CHICAGO, IL 60606

EXAMINER

VEILLARD, JACQUES

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/929,463

**Applicant(s)**

BOURDONCLE ET AL.

**Examiner**

Jacques Veillard

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. This action is responsive to the applicant's amendment filed on 6/4/2004.
2. Claims 1, 15, 28 and 31 have been amended.
3. Claims 1, 15, 28 and 31 are the independent claims. Other claims are the dependent.

### ***Priority***

4. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. EP 00402311.5, filed on 8/18/2000.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-42 have been fully considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ron Weiss et al. And hereinafter "Ron Weiss" (Hypersuit: A Hierarchical Network Search Engine that

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Exploits Content-Link Hypertext Clustering) in view of Beall et al. (U. S. Pat. No. 6,321,224, hereinafter Beall).

As per claims 1 and 15, Ron Weiss teaches a process called Hypursuit which is a new hierarchical network search engine for searching a database of entries (See Ron Weiss Abstract page 180 left column), comprising the steps of: providing a database of entries, at least part of said entries being mapped to a set of categories, at least part of said entries being associated with keywords; (See Ron Weiss bottom of page 180 left column) Applicant should note that Ron Weiss recognizes that the World-Wide-Web is a distributed database wherein database of entries associated with keywords are primarily incorporated. In particular, Ron Weiss discloses in response to a first query of a user the step of selecting among said set of categories mapped to the entries returned by said query (See Ron Weiss page 186 right column especially clustering result sets paragraph).

It is noted, however, Ron Weiss does not specifically teach the claimed limitations of dynamically selecting keywords associated to the entries returned by said query; and displaying to the user said selected categories and said selected keywords; and in response to the user, activating one of said displayed categories or said displayed keywords, starting a second query refining the first query to a subset of the entries returned by said first query. On the hand, Beall et al. achieved this claimed features by providing a database search, retrieval and classification with software for efficiently selecting items from a database (See Beall et al. Title and Abstract) including dynamically selecting keywords associated to the entries returned by said query; and displaying to the user said selected categories and said selected keywords; and in response to the user, activating one of said displayed categories or said displayed keywords, starting a second

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query refining the first query to a subset of the entries returned by said first query (See Beall et al. Abstract lines 7-15, col.3, lines 35-58, Fig.5, col.7, lines 42-58 and col.6, lines 26-58).

It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Ron Weiss by incorporating the refining search methodology mechanism taught by Beall et al.. The motivation being to have enhanced the system of Ron Weiss by allowing it to perform search more efficiently; thus providing an intuitive, easy-to-use, icon-based interface that enables users to refine a first query by narrowing the search quickly and efficiently (Beall et al. Abstract lines 17-21 and col.6, lines 47-49).

As per claims 28, and 31, the claims have substantially the same limitations as claims 1 and 15. These limitations have already been addressed in the discussion of claims 1 and 15 above. Therefore, they are rejected in similar grounds corresponding to the arguments given above for rejected claims 1 and 15.

As per claim 2, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, wherein the categories are organized in a tree or directed acyclic graph structure (See Ron Weiss Fig.2, page 182 left column third paragraph and right column first and second paragraphs, and Fig.3, page 184 left column second and third paragraphs).

As per claims 16 and 32, the claims have substantially the same limitations as claim 2. These limitations have already been addressed in the discussion of claim 2 above. Therefore,

they are rejected in similar grounds corresponding to the arguments given above for rejected claim 2.

As per claim 3, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, wherein the keyword is a sequence of words or a sequence of stemmed words (See Beall et al. col.3, lines 13-20, and col.5, lines 43-45).

As per claims 17 and 33, the claims have substantially the same limitations as claim 3. These limitations have already been addressed in the discussion of claim 3 above. Therefore, they are rejected in similar grounds corresponding to the arguments given above for rejected claim 3.

As per claim 4, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, wherein the selected categories and selected keywords are displayed similarly (See Ron Weiss's Figs. 6 and 7, and page 186 right column second paragraph, and page 187 left column second paragraph).

As per claims 18, and 34, the claims have substantially the same limitations as claim 4. These limitations have already been addressed in the discussion of claim 4 above. Therefore, they are rejected in similar grounds corresponding to the arguments given above for rejected claim 4.

As per claim 5, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, wherein the selected categories are displayed separately from selected keywords (See Beall et al. col.6, lines 26-46).

As per claims 19 and 35, the claims have substantially the same limitations as claim 5. These limitations have already been addressed in the discussion of claim 5 above. Therefore, they are rejected in similar grounds corresponding to the arguments given above for rejected claim 5.

As per claim 6, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, further including that step of starting a new query when a user activates one of said displayed categories and keywords (See Beall et al. col.7, lines 25-41).

As per claims 20 and 36, the claims have substantially the same limitations as claim 6. These limitations have already been addressed in the discussion of claim 6 above. Therefore, they are rejected in similar grounds corresponding to the arguments given above for rejected claim 6.

As per claim 7, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, wherein

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the step of activating includes excluding from the said query of the user a displayed category or keyword (See Ron Weiss's page 180 right column second paragraph).

As per claims 21 and 37, the claims have substantially the same limitations as claim 7. These limitations have already been addressed in the discussion of claim 7 above. Therefore, they are rejected in similar grounds corresponding to the arguments given above for rejected claim 7.

As per claim 8, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, wherein the step of activating includes refining the query of the user to said category or keyword (See Beall et al. col.6, lines 47-58).

As per claims 22 and 38, the claims have substantially the same limitations as claim 8. These limitations have already been addressed in the discussion of claim 8 above. Therefore, they are rejected in similar grounds corresponding to the arguments given above for rejected claim 8.

As per claim 9, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, further including displaying to the user a list of entries returned by the query (See Beall et al. col.6, lines 26-46).

As per claims 23 and 39, the claims have substantially the same limitations as claim 9. These limitations have already been addressed in the discussion of claim 9 above. Therefore, they are rejected in similar grounds corresponding to the arguments given above for rejected claim 9.



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As per claim 10, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, further including displaying in said list a category to which at least an entry of said list is mapped (See Ron Weiss's Figs. 6 and 7, and page 187 left column third paragraph).

As per claims 24 and 40, the claims have substantially the same limitations as claim 10. These limitations have already been addressed in the discussion of claim 10 above. Therefore, they are rejected in similar grounds corresponding to the arguments given above for rejected claim 10.

As per claim 11, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, further including displaying the entries included in a category when the user selects said category in said list (See Beall et al. Figs 3 and 4).

As per claims 25 and 41, the claims have substantially the same limitations as claim 11. These limitations have already been addressed in the discussion of claim 11 above. Therefore, they are rejected in similar grounds corresponding to the arguments given above for rejected claim 11.

As per claim 12, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, further including ranking the entries included in said category before they are displayed (See Beall et al. col.5, lines 20-24, line 64 through col.6, line 3).

As per claims 26 and 42, the claims have substantially the same limitations as claim 12. These limitations have already been addressed in the discussion of claim 12 above. Therefore,

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they are rejected in similar grounds corresponding to the arguments given above for rejected claim 12.

As per claim 13, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, wherein categories are hierarchically organized, and wherein the step of displaying includes displaying categories of different hierarchical levels (See Ron Weiss's Figs 2 and 3, and page 183 right column fourth paragraph).

As per claim 14, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1 above. In addition, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, wherein a category is formed of a set of at least two attributes (See Ron Weiss's Fig.5 and corresponding text).

As per claim 27, the claim has substantially the same limitations as claim 14. These limitations have already been addressed in the discussion of claim 14 above. Therefore, it is rejected in similar grounds corresponding to the arguments given above for rejected claim 14.

As per claims 29 and 30, the combination of Ron Weiss and Beall et al., as modified, teaches the claimed invention, wherein the search server is a HTTP server; wherein the entries are textual entries and the database includes an inverted index, said categories being entries of said inverted index (See Ron Weiss's page 190 left column third paragraph, and page 192 left column first paragraph).

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Other Prior Art Made of Record***

- |    |                    |                               |
|----|--------------------|-------------------------------|
| 8. | Frauenhofer et al. | U. S. Pat. No. 6,236,991,     |
|    | Klein et al.       | U. S. Pat. No. 6,704,729,     |
|    | Bailey et al.      | U. S. Pat. No. 6,785,671      |
|    | Pirolli et al.     | U. S. Pat. No. 5,895,470, and |

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. **Any response to this action should be mail to:**

Commissioner of Patent and Trademarks

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Washington, D.C. 20231

**Or faxed to:**

(703) 746-7239 (for formal communication intended for entry)

**Or:**


(703) 746-7240 (for informal of draft communications, please label

“PROPOSED” or “DRAFT”)

Hand - delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA, Fourth Floor Lobby (Receptionist Telephone No. (703) 305-3900)

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (703) 305-7094. The examiner can normally be reached Monday through Friday from 9:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached on (703) 305-3830. The fax phone number for this group is (703) 308-5403.

  
CHARLES RONES  
PRIMARY EXAMINER



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Jacques Veillard  
Patent Examiner TC 2100

September 21, 2004